

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RAY A. LEWIS,

Plaintiff,

v.

RENCY HILBERT, et al.,

Defendants.

CASE NO. C23-5539RSL-BAT

**ORDER ADOPTING REPORT &  
RECOMMENDATION**

The Court has reviewed Report and Recommendation (Dkt. # 8) of the assigned United States Magistrate Judge, all objections or responses, and the remaining record, and finds and ORDERS:

(1) The Court ADOPTS the Report and Recommendation.<sup>1</sup>

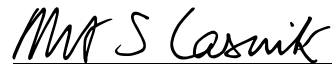
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<sup>1</sup> For clarity, the Court notes that: (1) the citations on page 4, lines 6-7 should be to *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) and (2) plaintiff alleges that ARNP Boudrieau reviewed his medical records on or about April 14, 2023, *see* Dkt. # 7 at 7, not April 13, 2023 as is stated in the Report and Recommendation, *see* Dkt. # 8 at 5. As the Report and Recommendation notes, Passover ended on April 13, 2023. *See, e.g.*, Marina Pitofsky, Charita M. Goshay, C. A. Bridges, *What Is Passover?* PALM BEACH POST (Apr. 5, 2023, 11:50 AM), <http://www.palmbeachpost.com/story/lifestyle/2023/04/05/what-is-passover-when-is-passover/70084323007/>.

1 (2) Defendants Jeffery Adams, ARNP Boudrieau,<sup>2</sup> Ronald Attard, and Jason Bennet  
2 are dismissed with prejudice. The case proceeds solely against defendant Rency Hilbert, on the  
3 claim that plaintiff's First Amendment rights were violated on April 5, 2023.

4 (3) The Clerk shall provide a copy of this Order to plaintiff.  
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6 Dated this 3rd day of August, 2023.  
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10 Robert S. Lasnik  
11 United States District Judge  
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21 <sup>2</sup> The Court notes that plaintiff has not explicitly named ARNP Boudrieau as a defendant, *see* Dkt. # 7 at 5  
22 (naming Rency Hilbert, Ronald Attard, Jeffery Adams and Jason Bennett as defendants) but has included allegations  
23 against ARNP Boudrieau in the body of the Amended Complaint, *see* Dkt. # 7 at 7 (alleging that ARNP Boudrieau  
"could not find where a therapeutic diet was requested" when reviewing plaintiff's medical records). Thus, to the  
extent plaintiff seeks to name ARNP Boudrieau as a defendant, the Court agrees with the Report and  
Recommendation that any such claims must be dismissed for failure to state a claim upon which relief can be  
granted.